

38. The method of claim 37 wherein the step of creating flux lines includes creating flux lines in the cavity fixture near a cavity perimeter which are angled relative to the first region axis.

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a) 39. The method of claim 35 wherein the step of creating flux lines includes creating flux lines in the fixture cavity near a cavity perimeter which are angled relative to the first region axis.

REMARKS

Claims 1-39 are pending in the above-captioned patent application. Claims 1-26 have been rejected. Claims 27-39 have been added by this amendment.

Support for new claims 27-39 can be found throughout the originally filed application. In particular, support for new claims 27-39 respectively can be found in original claims 1, 2, 3, 4, 5, 6, 7, 21, 22, 23, 24, 25, and 26, respectively.

Reconsideration of the rejected claims and consideration of the new claims is respectfully requested in view of the arguments set forth below.

Objections to the Drawings

The Official Draftsman has objected to the drawings on the basis of multiple informalities. The Attorney for Applicants acknowledges the aforementioned informalities that will be appropriately amended upon receipt of the Notice of Allowability.

Rejections Under 35 U.S.C. § 112

Claims 1-26 are rejected under 35 U.S.C., first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled

in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. In particular, the Patent Office provided that the "term 'substantially' found throughout Applicant's disclosure including claims is not supported so that one of ordinary skilled in the art at the time of the invention would understand the limitations of this term."

Claims 1-26 are also rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Patent Office provided that the "term 'substantially' found within the claims is not definite in that one of ordinary skill in the art could not reasonably ascertain the limitation of the term."

The Applicants respectfully transverse these rejections. In particular, the term "substantially" does not make these claims vague and indefinite. Further, the term "substantially" does not cause a lack of enablement. The Federal Circuit has held that the word "substantially" is acceptable in claim language. See Andrew Corp. v. Gabriel Electronics, 847 F.2d 819, 821-22, 6 USPQ 2d 2010, 2012 (Fed. Cir. 1988); see also Modine Manufacturing Co. v. International Trade Commission, ___ F.3d ___, 37 USPQ 2d 1609, 1615 (Fed. Cir. 1996). As provided by the Federal Circuit in the Andrew Corp. case, the term "substantially" is an accepted term in patent examination and is upheld by the courts. *Id* at 847 F2d 821. In summary, the term "substantially" is not vague and indefinite and claims 1-26 are enabled.

Accordingly, Applicants respectfully request that the rejection of claims 1-26 under 35 U.S.C. § 112 be withdrawn.



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| No. | Doccode | Number of pages |
|-----|---------|-----------------|
| 1 | CTNF | 5 |
| 2 | 892 | 1 |

Total number of pages: 6

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